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МЕЖДУНАРОДНАЯ АМНИСТИЯ
منظمة العفو الدولية
國際特赦組織

URGENT ACTION

EXTERNAL **AI Index: ASA 21/26/95**

8 May 1996

Further information on UA 263/95 (ASA 21/58/95, 23 November 1995) and follow-up (ASA 21/14/96, 16 February 1996) - Arbitrary detention / Fear of torture

EAST TIMOR **At least 20 East Timorese**

new names: **Maria Fatima Pereira (f), aged 38**
Januario, aged 23
Carvalho Casto, aged 31
Raimundo de Jesus, aged 22
Jaimundo de Carvalho, aged 20

Of the group of up to 29 East Timorese arrested on 20 November 1995 as they attempted to travel to Australia by boat in order to seek asylum, the five named above have since been tried, convicted and imprisoned for unlawfully taking control of a boat from its captain. Maria Fatima Pereira received a one-year prison sentence, while the other four were sentenced to nine months. The sentences were reported on 17 April 1996.

The authorities allege that the group forced the captain of the boat to change course and head for Australia, but information about the precise circumstances of the attempt by the group to leave the country is still unclear. As outlined in the previous Urgent Action update of 16 February, a letter from the Indonesian Embassy in New Zealand, sent to members of the UA Network, stated that the group had been detained because they had hijacked a boat and threatened the lives of other people. However, the final convictions against the five relate to unlawfully taking control of the boat and Amnesty International is not aware of any evidence that the group did threaten peoples' lives. The organization is concerned that the trials of the five may not have conformed to international standards for fair trial, and it continues to seek details about the proceedings.

Amnesty International also continues to investigate the treatment of the group in pre-trial detention. Most of the women and children were released shortly after the original arrests, but it is not clear for how long the remaining detainees were held. Amnesty International is concerned that during their time in detention, the group did not have access to independent legal counsel. Shortly after the arrests, the organization received reports that several of the men had been tortured while in military intelligence custody. Amnesty International is as yet unable to confirm these reports.

No further action by the Urgent Action Network is requested. Thank you to those who sent appeals on this case.

Amnesty International, International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom

Tel: (44)(171) 413 5500 Fax: 956 1157 Telegrams: Amnesty London WC1 Telex: 28502 E-mail: (GeoNet) mcr1:amnesty-is, (GreenNet) amnestyis@gn.apc.org